

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Leonard M. Aftanas**  
**Mary J. Aftanas**  
Debtor(s)

Bankruptcy Case No.: 16-24153-CMB  
Issued Per Apr. 24, 2017 Proceeding  
Chapter: 13  
Docket No.: 62 - 20  
Concil. Conf.: August 3, 2017 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 21, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Aug. 3, 2017 at 11:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: I.R.S. at Claim No. 2; PA Department of Revenue at Claim No. 3 .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: May 1, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Leonard M. Aftanas  
 Mary J. Aftanas  
 Debtors

Case No. 16-24153-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 50

Date Rcvd: May 01, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 03, 2017.

db/jdb  
 cr +Leonard M. Aftanas, Mary J. Aftanas, 2559 Nicholson Road, Sewickley, PA 15143-8502  
 +First National Bank of Pennsylvania, c/o Donna Donaher, One North Shore Center,  
 12 Federal Street, First Floor, Pittsburgh, PA 15212-5752  
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,  
 Pittsburgh, PA 15233-1828  
 14318451 +AAA Debt Recovery, PO Box 129, Monroeville, PA 15146-0129  
 14318452 +Allegheny County Court of Common Pleas, Dept. of Court Records, Criminal Div,  
 114 Courthouse, 436 Grant Street, Pittsburgh, PA 15219-2400  
 14318453 +Associates in Gastroenterology, 5500 Brooktree Road, Suite 201, Wexford, PA 15090-9260  
 14318454 +CBCS, PO Box 2724, Columbus, OH 43216-2724  
 14318455 +Consolidated Communications, 4008 Gibsonia Road, Gibsonia, PA 15044-9386  
 14318456 Credit Collections Co., 509 Monongahela Blvd, Morgantown, WV 26507  
 14318457 +DIRECTV LLC, ATTN BANKRUPTCIES, PO BOX 6550, GREENWOOD VILLAGE CO 80155-6550  
 (address filed with court: DirecTV, PO Box 6550, Greenwood Village, CO 80155)  
 14318459 +ER Automotive, 547 California Avenue, Avalon, PA 15202-2426  
 14318460 +First National Bank of PA, 4140 E. State Street, Hermitage, PA 16148-3401  
 14329155 +First National Bank of Pennsylvania, c/o Donna Donaher, One North Shore Center,  
 12 Federal Street, Suite 105, Pittsburgh, PA 15212-5753  
 14318462 +First National Bank of Pennsylvania, One FNB Blvd., Hermitage, PA 16148-3363  
 14318461 +First National Bank of Pennsylvania, PO Box 6000, Hermitage, PA 16148-0900  
 14318463 +Genesis Medical Associates, 8150 Perry Hwy, Suite 300, Pittsburgh, PA 15237-5232  
 14318464 Green Tree Servicing, LLC, 345 St. Peter Street, 1100 Landmark Towers,  
 Saint Paul, MN 55102  
 14318466 +James F. Brungo DPM, 8035 McKnight Road, Andre Plaza Suite 104, Pittsburgh, PA 15237-3036  
 14318467 +Joseph Bikowski, M.D Associates Inc., 500 Chadwick Street, Sewickley, PA 15143-1851  
 14318468 +KML Law Group, PC, Mellon Independence Center, Ste 5000, 701 Market Street,  
 Attn: Jennifer L. Frechie, Esquire, Philadelphia, PA 19106-1538  
 14318469 +McCandless Franklin Park Ambulance Auth, Box 1, Ingomar, PA 15127-0001  
 14318470 +McKesson Patient Care Solutions, 540 Lindbergh Drive, Moon, PA 15108-2750  
 14318471 +Med Express Billing, PO Box 719, Dellslow, WV 26531-0719  
 14318473 +PA Department of Revenue, Bureau of Compliance - Lien Section, PO Box 280948,  
 Harrisburg, PA 17128-0948  
 14325550 +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14318475 Peoples Gas, PO Box 644760, Pittsburgh, PA 15264-4760  
 14347797 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Avenue,  
 Pittsburgh, PA 15233-1828  
 14318479 +Tri Rivers Surgical Assoc., Inc., 9104 Babcock Blvd. #2120, Pittsburgh, PA 15237-5818  
 14318480 U.S. Attorneys Office, Western District of PA, 633 U.S. Post Office & Courthouse,  
 Grant Street, Pittsburgh, PA 15219  
 14318482 UPMC Passavant, PO Box 382059, Pittsburgh, PA 15250-8059  
 14382720 UPMC Passavant, PO Box 1123, Minneapolis, MN 55440-1123  
 14318483 +UPMC Physician Services, PO Box 371980, Pittsburgh, PA 15250-7980  
 14382721 University of Pittsburgh Physicians, PO Box 1123, Minneapolis, MN 55440-1123  
 14318484 +Waste Management, PO Box 13577, Philadelphia, PA 19101-3577  
 14348582 Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Services, PO Box 19657,  
 Irvine, CA 92623-9657  
 14318485 +Wells Fargo Dealer Services, PO Box 1697, Winterville, NC 28590-1697  
 14318486 +West View Water Authority, PO Box 747107, Pittsburgh, PA 15274-7105

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14318458 +E-mail/Text: bankruptcy.bnc@ditech.com May 02 2017 03:27:15 Ditech, PO Box 94710,  
 Palatine, IL 60094-4710  
 14379412 E-mail/Text: bankruptcy.bnc@ditech.com May 02 2017 03:27:15  
 Ditech Financial LLC fka Green Tree Servicing LLC, P.O. Box 6154,  
 Rapid City, South Dakota 57709-6154  
 14318465 +E-mail/Text: cio.bncmail@irs.gov May 02 2017 03:27:12 Internal Revenue Service,  
 PO Box 7346, Philadelphia, PA 19101-7346  
 14351907 E-mail/Text: bkr@cardworks.com May 02 2017 03:27:00 MERRICK BANK,  
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368  
 14318472 +E-mail/Text: bkr@cardworks.com May 02 2017 03:27:00 Merrick Bank, PO Box 9201,  
 Old Bethpage, NY 11804-9001  
 14381573 E-mail/Text: peritus@ebn.phinsolutions.com May 02 2017 03:28:25  
 PERITUS PORTFOLIO SERVICES II, LLC, PO BOX 141419, Irving, Tx 75014-1419  
 14318476 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com May 02 2017 03:20:30  
 Portfolio Recovery Associates, 120 Corporate Blvd, Suite 100, Norfolk, VA 23502  
 14362673 +E-mail/Text: bankruptcy@firstenergycorp.com May 02 2017 03:27:47 Penn Power,  
 5001 NASA Blvd, Fairmont WV 26554-8248  
 14318474 +E-mail/Text: bankruptcy@firstenergycorp.com May 02 2017 03:27:47 Penn Power, PO Box 3687,  
 Akron, OH 44309-3687  
 14334694 E-mail/Text: RVSVCBICNOTICE1@state.pa.us May 02 2017 03:27:27  
 Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,  
 Harrisburg, Pa. 17128-0946

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 50

Date Rcvd: May 01, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14318477 E-mail/Text: appebnmailbox@sprint.com May 02 2017 03:27:37 Sprint, PO Box 4191,  
Carol Stream, IL 60197  
14318478 +E-mail/Text: bankruptcydepartment@tsico.com May 02 2017 03:28:17 Transworld Systems, Inc.,  
507 Prudential Road, Horsham, PA 19044-2308  
14318481 +E-mail/Text: BankruptcyNotice@upmc.edu May 02 2017 03:28:15 UPMC, 2 Hot Metal Street,  
Dist. Room 386, Pittsburgh, PA 15203-2348

TOTAL: 13

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Ditech Financial LLC  
cr\* PERITUS PORTFOLIO SERVICES II, LLC, PO BOX 141419, IRVING, TX 75014-1419  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 1, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 03, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 1, 2017 at the address(es) listed below:

Brian C. Thompson on behalf of Debtor Leonard M. Aftanas bthompson@ThompsonAttorney.com,  
blemon@thompsonattorney.com;LaurenKelly@thompsonattorney.com;jwrzosek@thompsonattorney.com;mgille  
spie@thompsonattorney.com;azema@ecf.inforuptcy.com;noreply@thompsonattorney.com;mhodge@thompsonat  
torney.com  
Brian C. Thompson on behalf of Joint Debtor Mary J. Aftanas bthompson@ThompsonAttorney.com,  
blemon@thompsonattorney.com;LaurenKelly@thompsonattorney.com;jwrzosek@thompsonattorney.com;mgille  
spie@thompsonattorney.com;azema@ecf.inforuptcy.com;noreply@thompsonattorney.com;mhodge@thompsonat  
torney.com  
Donna M. Donaher on behalf of Creditor First National Bank of Pennsylvania  
donaherd@fnb-corp.com  
James Warmbrodt on behalf of Creditor Ditech Financial LLC bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 7